



City of Hoboken
Custodian of Records
GOVERNMENT RECORDS REQUEST FORM

94 Washington Street
Hoboken, NJ 07030

Phone: 201-239-6651 Fax: 201-420-2085
Email: CITYCLERK@hobokennj.gov Website: www.Hobokennj.gov



IMPORTANT NOTICE

The LAST PAGE of this form contains important information related to your rights concerning government records. Please read it carefully.

Requester Information – Please Print

First Name _____ Last Name _____
E-mail Address _____
Mailing Address _____
City _____ State _____ Zip _____
Telephone _____ FAX _____

Requested Delivery*: Pick up US Mail On-Site Inspect Fax Email
Special Requests Regarding Delivery Format: _____
**All requests will be via hard copy mail delivery unless otherwise specified.*

If you are requesting records containing personal information, please select one: Under penalty of perjury and N.J.S.A. 2C:28-3, I certify that I ☐ **HAVE** / ☐ **HAVE NOT** been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

Signature _____ Printed Name _____ Date: _____

If you are a crime victim and you hereby certify under penalty of perjury and N.J.S.A. 2C:28-3 that you are requesting records herein relating to your victimization please check the box and sign and date below:

☐ Signature _____ Printed Name _____ Date: _____

Maximum Authorized Cost
\$ _____

Select Payment Method
Cash Check Money
Order

Fees:
\$0.05 per letter page
\$0.07 per legal page or larger

Actual Costs will be charged for alternative methods of delivery
Delivery: Additional delivery/postage fees will apply, where applicable, depending upon delivery type.

Extras: Special service charge fees will apply dependent upon request

Record Request Information: Please be as specific as possible in describing the records being requested. **ALSO, PLEASE NOTE THAT YOUR PREFERRED METHOD OF DELIVERY WILL ONLY BE ACCOMMODATED IF THE CUSTODIAN HAS THE TECHNOLOGICAL MEANS AND THE INTEGRITY OF THE RECORDS WILL NOT BE JEOPARDIZED BY SUCH METHOD OF DELIVERY. (BOLD ITEMS ARE, GENERALLY, IMMEDIATE ACCESS DOCUMENTS.)**

LIST THE NAME OF THE DEPARTMENT, SPECIFY DOCUMENTS REQUESTING WITH TIME FRAME

- ☐ **Budget:** _____
- ☐ **Bills/Invoices/Vouchers:** _____
- ☐ **Contracts:** _____
- ☐ **Employee Salary/Overtime Information:** _____
- ☐ **Ordinance/Resolution:** _____
- ☐ **Police Records:** _____
- ☐ **Other:** _____

CUSTODIAN USE ONLY

Disposition Notes: (requests for additional time/ deposits / additional fees):

CUSTODIAN USE ONLY

Date Opened: _____
Date Due: _____
Date Complete: _____
Date Released: _____

CUSTODIAN USE ONLY

Tracking Information

Tracking # _____
Rec'd Date _____
Ready Date _____
Total Pages _____

Final Cost /Disposition

Total _____
Deposit _____
Balance Due _____
Balance Paid _____
Fees Waived By _____

Records Provided

Custodian Signature

Date

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the information thus requested will cost in excess of \$5 to reproduce. Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

☐ **YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):**

(To be completed by the Custodian of Records- Check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. **Response is due to requestor as soon as possible, but no later than seven business days, except for immediate access documents as provided for above.)**

☐ **N.J.S.A. 47:1A-1.1**

- ☐ Inter-agency or intra-agency advisory, consultative or deliberative material
- ☐ Law enforcement records: Medical examiner photos; Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed); Victim's records
- ☐ Trade secrets and proprietary commercial or financial information
- ☐ Any record within the attorney-client privilege
- ☐ Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- ☐ Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein
- ☐ Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software
- ☐ Information which, if disclosed, would give an advantage to competitors or bidders
- ☐ Information generated by or on behalf of public employers or public employees in connection with: Any sexual harassment complaint filed with a public employer; Any grievance filed by or against an employee; Collective negotiations documents and statements of strategy or negotiating
- ☐ Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- ☐ Information that is to be kept confidential pursuant to court order
- ☐ Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- ☐ Social security numbers
- ☐ Credit card numbers
- ☐ Unlisted telephone numbers
- ☐ Drivers' license numbers
- ☐ Biotechnology trade secrets N.J.S.A. 47:1A-1.2
- ☐ Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
- ☐ Ongoing investigations of non-law enforcement agencies (disclosure is inimical public interest) N.J.S.A. 47:1A-3.a
- ☐ Public Defender records N.J.S.A. 47:1A-5.k
- ☐ Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and Privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
- ☐ Personnel and pension records, **EXCEPT** specific information identified as follows:
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - Data contained in information which disclose conformity with specific experiential educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

☐ **N.J.S.A. 47:1A-1**

"a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy"

Burnett v. County of Bergen, 198 N.J. 408 (2009). Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

☐ **Executive Order No. 21 (McGreevey 2002)**

Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism. Records exempted from disclosure by State agencies' proposed rules are exempt from disclosure by this Order.

☐ **Executive Order No. 26 (McGreevey 2002)**

Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination. Harassment or Hostile Environments

Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
Information in a personal income or other tax return
Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each records.)

Other reasons for denial of OPRA request:

ACKNOWLEDGEMENT

I hereby acknowledge that the document(s) specifically requested herein *were /were not /were partially* provided. I hereby acknowledge that the Custodian of Records responded to and closed out my request on the date I sign this Acknowledgement. My signature on this Acknowledgement does not foreclose my rights to appeal the decisions of the Custodian relating to this OPRA request. I further certify under penalty of N.J.S.A. 2C:25-3, that I *have / have not* been convicted of any indictable offense under the laws of the State of New Jersey, any other state, or the federal government.

Requestor's Signature

Date

ADDITIONAL INFORMATION FOR INDIVIDUALS SUBMITTING OPRA REQUESTS

1. In order to request access to government records under OPRA, you must complete all the required portions of and date this request form and deliver it in person during regular business hours or by mail, fax or electronically to the agency custodian of records. Your request is not considered filed until the agency custodian of records receives the request form. If you submit the request form to any other officer or employee of the **City of Hoboken**, that officer or employee may not have the authority to accept your request form on behalf of the **City of Hoboken** and your request will be directed to the agency custodian of records. The seven (7) business day response time will not commence until the agency custodian of records receives the request form.
2. The fees for duplication of a government records in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the Government Records Council.
3. If it is necessary for the records custodian to contact you concerning your request, providing identifying information, such as your name, address, telephone number, fax number or e-mail address is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personal information are not honored.
4. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The **City of Hoboken** custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.
5. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family.
6. By law, the **City of Hoboken** must notify you that it grants or denies a request for access to government records with seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
7. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
8. If the **City of Hoboken** is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.
9. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
10. If your request for access to a government record has been denied or unfilled within seven (7) business days required by law, you have the right to challenge the decision by the **City of Hoboken** to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council ("GRC"); you may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law.
11. All Information provided on this form is subject to disclosure under the Open Public Records Act.

A public record under the common law is one required by law to be kept, or necessary to be kept, in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

- Building Plans are protected from disclosure pursuant to OPRA; they may be requested through common law right of access with a clearly stated reason for viewing the building plans;
 - Site plans and architectural renderings are subject to disclosure through OPRA

☐ Yes, I am also requesting the documents under common law.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery.

Note: Any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in **Superior Court**.

EFFECTIVE ON FRIDAY, JANUARY 16, 2015

**THE FOLLOWING MUST BE REQUESTED VIA THE HOBOKEN
POLICE DEPARTMENT AT 106 HUDSON STREET:**

1. VEHICLE ACCIDENT REPORTS
2. POLICE REPORTS

REQUESTS THAT MUST BE PROCESSED THROUGH OPRA:

- ✓ STATISTICS
- ✓ POLICE LOGS
- ✓ VIDEO RECORDINGS
- ✓ AUDIO RECORDINGS
- ✓ SALARIES
- ✓ 911 RECORDINGS
- ✓ PENSION RECORDS
- ✓ TIME OFF TOTALS

ET AL.

HOBOKEN CITY CLERK